

# Senate Amendment 5393

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1 1 Amend Senate File 2428 as follows:  
1 2 #1. Page 15, by striking lines 20 through 26 and  
1 3 inserting the following:  
1 4 <NEW SUBSECTION. 9. a. The clerk of the district  
1 5 court shall notify the county treasurer of any  
1 6 delinquent court debt, as defined in section 602.8107,  
1 7 which is being collected by the county attorney  
1 8 pursuant to section 602.8107, subsection 4. The  
1 9 county treasurer shall refuse to renew the vehicle  
1 10 registration of the applicant upon such notification  
1 11 from the clerk of the district court in regard to such  
1 12 applicant.>  
1 13 #2. Page 15, line 30, by striking the word  
1 14 <department> and inserting the following: <county  
1 15 treasurer>.  
1 16 #3. Page 16, by striking lines 5 through 28 and  
1 17 inserting the following:  
1 18 <Sec. \_\_\_\_\_. Section 321.210A, subsection 2, Code  
1 19 Supplement 2007, is amended to read as follows:  
1 20 2. If after suspension, the person enters into an  
1 21 installment agreement with the county attorney, the  
1 22 county attorney's designee, or the centralized  
1 23 collection unit of the department of revenue in  
1 24 accordance with section 321.210B to pay the fine,  
1 25 penalty, court cost, or surcharge, the person's  
1 26 license shall be reinstated by the department upon  
1 27 receipt of a report of an executed installment  
1 28 agreement.  
1 29 Sec. \_\_\_\_\_. Section 321.210A, Code Supplement 2007,  
1 30 is amended by adding the following new subsection:  
1 31 NEW SUBSECTION. 3. If the county attorney or the  
1 32 county attorney's designee, while collecting  
1 33 delinquent court debt pursuant to section 602.8107,  
1 34 determines that the person has been convicted of an  
1 35 additional violation of a law regulating the operation  
1 36 of a motor vehicle, the county attorney or the county  
1 37 attorney's designee shall notify the clerk of the  
1 38 district court of the appropriate case numbers, and  
1 39 the clerk of the district court shall notify the  
1 40 department for the purpose of instituting suspension  
1 41 procedures pursuant to this section.  
1 42 Sec. \_\_\_\_\_. Section 321.210B, Code Supplement 2007,  
1 43 is amended to read as follows:  
1 44 321.210B INSTALLMENT AGREEMENT.  
1 45 1. If a person's fine, penalty, surcharge, or  
1 46 court cost is deemed delinquent as provided in section  
1 47 602.8107, subsection 2, and the person's driver's  
1 48 license has been suspended pursuant to section  
1 49 321.210A, the person may execute an installment  
1 50 agreement with the county attorney, ~~or~~ the county  
2 1 attorney's designee, or the centralized collection  
2 2 unit of the department of revenue to pay the  
2 3 delinquent amount and the fee assessed in subsection 7  
2 4 in installments. Prior to execution of the  
2 5 installment agreement, the person shall provide the  
2 6 county attorney, ~~or~~ the county attorney's designee, or  
2 7 the centralized collection unit of the department of  
2 8 revenue with a financial statement in order for the  
2 9 parties to the agreement to determine the amount of  
2 10 the installment payments.  
2 11 2. ~~\* If the person enters into an installment~~  
2 12 agreement with the county attorney or the county  
2 13 attorney's designee, the person shall execute an  
2 14 installment agreement in the county where the fine,  
2 15 penalty, surcharge, or court cost was imposed. If the  
2 16 county where the fine, penalty, surcharge, or court  
2 17 cost was imposed does not have an installment  
2 18 agreement program, the person shall execute an  
2 19 installment agreement in the person's county of  
2 20 residence. If the county of residence does not have  
2 21 an installment agreement program, the person may  
2 22 execute an installment agreement with any county  
2 23 attorney or county attorney's designee.  
2 24 3. The county attorney, ~~or~~ the county attorney's

2 25 designee, or the centralized collection unit of the  
2 26 department of revenue shall file the installment  
2 27 agreement with the clerk of the district court in the  
2 28 county where the fine, penalty, surcharge, or court  
2 29 cost was imposed, within five days of execution of the  
2 30 agreement.

2 31 4. Upon receipt of an executed installment  
2 32 agreement and after the first installment payment, the  
2 33 clerk of the district court shall report the receipt  
2 34 of the executed installment agreement to the  
2 35 department of transportation.

2 36 5. Upon receipt of the report from the clerk of  
2 37 the district court and payment of the reinstatement  
2 38 fee as provided in section 321.191, the department  
2 39 shall immediately reinstate the driver's license of  
2 40 the person unless the driver's license of the person  
2 41 is otherwise suspended, revoked, denied, or barred  
2 42 under another provision of law.

2 43 6. If a driver's license is reinstated upon  
2 44 receipt of a report of an executed installment  
2 45 agreement the driver shall provide proof of financial  
2 46 responsibility pursuant to section 321A.17, if  
2 47 otherwise required by law.

2 48 7. The civil penalty, if assessed pursuant to  
2 49 section 321.218A, shall be added to the amount owing  
2 50 under the installment agreement. The clerk of the  
3 1 district court shall transmit to the department, from  
3 2 the first moneys collected, an amount equal to the  
3 3 amount of any civil penalty assessed and added to the  
3 4 installment agreement. The department shall transmit  
3 5 the money received from the clerk of the district  
3 6 court pursuant to this subsection to the treasurer of  
3 7 state for deposit in the juvenile detention home fund  
3 8 created in section 232.142.

3 9 8. Upon determination by the county attorney, ~~or~~  
3 10 the county attorney's designee, or the centralized  
3 11 collection unit of the department of revenue that the  
3 12 person is in default, the county attorney, ~~or~~ the  
3 13 county attorney's designee, or the centralized  
3 14 collection unit shall notify the clerk of the district  
3 15 court.

3 16 9. The clerk of the district court, upon receipt  
3 17 of a notification of a default from the county  
3 18 attorney, ~~or~~ the county attorney's designee, or the  
3 19 centralized collection unit of the department of  
3 20 revenue shall report the default to the department of  
3 21 transportation.

3 22 10. Upon receipt of a report of a default from the  
3 23 clerk of the district court, the department shall  
3 24 suspend the driver's license of a person as provided  
3 25 in section 321.210A. For purposes of suspension and  
3 26 reinstatement of the driver's license of a person in  
3 27 default, the suspension and any subsequent  
3 28 reinstatement shall be considered a suspension  
3 29 pursuant to section 321.210A.

3 30 11. If a new fine, penalty, surcharge, or court  
3 31 cost is imposed on a person after the person has  
3 32 executed an installment agreement with the county  
3 33 attorney, ~~or~~ the county attorney's designee, the  
3 34 centralized collection unit of the department of  
3 35 revenue, and the new fine, penalty, surcharge, or  
3 36 court cost is deemed delinquent as provided in section  
3 37 602.8107, subsection 3 2, and the person's driver's  
3 38 license has been suspended pursuant to section  
3 39 321.210A, the person may enter into a second  
3 40 installment agreement with the county attorney, ~~or~~  
3 41 county attorney's designee, or the centralized  
3 42 collection unit of the department of revenue to pay  
3 43 the delinquent amount and the fee, if assessed, in  
3 44 subsection 7 in installments.

3 45 12. If an installment agreement is in default, the  
3 46 fine, penalty, surcharge, or court cost covered under  
3 47 the agreement shall not become part of any new  
3 48 installment agreement.

3 49 13. A person is eligible to enter into five  
3 50 installment agreements in the person's lifetime.

4 1 14. Except for the civil penalty if assessed and  
4 2 collected pursuant to subsection 7, any amount  
4 3 collected under the installment agreement by the  
4 4 county attorney or the county attorney's designee  
4 5 shall be distributed as provided in section 602.8107,

4 6 subsection 4, and any amount collected by the  
4 7 centralized collection unit of the department of  
4 8 revenue shall be deposited into the general fund of  
4 9 the state.>  
4 10 #4. Page 19, line 30, by inserting after the words  
4 11 <penalty surcharge,> the following: <drug abuse  
4 12 resistance education surcharge,>.  
4 13 #5. Page 20, line 8, by striking the word  
4 14 <remainder> and inserting the following: <remaining  
4 15 sixty percent>.  
4 16 #6. Page 20, line 16, by striking the word <If>  
4 17 and inserting the following: <After>.  
4 18 #7. Page 20, line 17, by striking the words <the  
4 19 remainder> and inserting the following: <any  
4 20 additional moneys collected>.  
4 21 #8. Page 20, line 26, by striking the word  
4 22 <remainder> and inserting the following: <remaining  
4 23 sixty percent>.  
4 24 #9. Page 25, by inserting after line 7 the  
4 25 following:  
4 26 <\_\_\_\_. COLLECTION OF DELINQUENT DEBT == PROCESSING  
4 27 OR COLLECTION FEE. If court debt is being collected  
4 28 pursuant to section 602.8107, as amended by this Act,  
4 29 for court debt deemed delinquent prior to the  
4 30 effective date of this Act, a processing fee or  
4 31 collection fee shall be added to the court debt as  
4 32 provided in this Act.>  
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4 36 ROBERT E. DVORSKY  
4 37 SF 2428.701 82  
4 38 jm/ml/12